



Chairman

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PENNSYLVANIA GAMING CONTROL BOARD

P.O. BOX 69060

HARRISBURG, PENNSYLVANIA

17106-9060

MEETING MINUTES

WEDNESDAY, FEBRUARY 1, 2017 - 10:00 a.m.

STRAWBERRY SQUARE COMPLEX, 2ND FLOOR, HARRISBURG

Commissioners

GREGORY C. FAJT

RICHARD G. JEWELL

KEITH R. MCCALL

ANTHONY C. MOSCATO

WILLIAM H. RYAN, JR.

AHMEENAH YOUNG

Ex-Officio Members

EILEEN McNULTY

RUSSELL REDDING

JOSEPH M. TORSSELLA

A meeting of the Pennsylvania Gaming Control Board was held at the Pennsylvania Gaming Control Board Office of Hearings and Appeals, Strawberry Square Complex, 2nd Floor, Harrisburg, PA.

Members in attendance were:

David M. Barasch, Chairman

Gregory C. Fajt

Richard G. Jewell

Keith R. McCall

Anthony C. Moscato

William H. Ryan, Jr.

Ahmeenah Young – via teleconference

Ex-Officio members in attendance were:

Eileen H. McNulty, Secretary of Revenue

Robert Coyne, Ex-Officio Designee, Department of Revenue

Jennifer Langan, Ex-Officio Designee, Pennsylvania Treasury

Fred Strathmeyer, Ex-Officio Designee, Department of Agriculture

PA Gaming Control Board Executive Staff who appeared before the Board:

Kevin O'Toole – Executive Director's Report

R. Douglas Sherman

Stephen Cook – Report and Recommendations

Susan Hensel – Licensing Matters

Cyrus Pitre – Enforcement Actions

Assistant Enforcement Counsel:

John Crohe, David Tepper, Dustin Miller, Glen Stuart, Sarah Kolesar, and Michael Roland

Also present were:

John Donnelly, Esquire, representing SugarHouse HSP Gaming, LP

Lynette Lee, Director of Compliance, SugarHouse HSP Gaming, LP (appeared – no testimony)

Linda Powers, Director of Marketing, Sugarhouse HSP Gaming, LP (appeared – no testimony)

Michael D. Sklar, Esquire, representing Mount Airy #1, LLC

Boris Kostikov, Executive Director, Food & Beverage, Mount Airy #1, LLC

Mena Beshara – Placement on Involuntary Exclusion List

Jupiter Abraham Dalo, Interpreter, Mena Beshara Case

A quorum of the Board being present, Chairman Barasch called the meeting to order.

ANNOUNCEMENTS

Chairman Barasch announced that the Board held an Executive Session on January 31st to conduct quasi-judicial deliberations relating to matters being considered by the Board on February 1, 2017. He also announced the Public Input Hearing regarding the casino license renewal for Downs Racing, LP, operator of Mohegan Sun Pocono on March 29th at 10:00 a.m. The Hearing will be held at the Plains Township Fox Hill Firehouse Number 2, located on 50 Second Street, Plains, Pennsylvania. Registration and deadlines were also provided. Chairman Barasch also announced the cancellation of the February 22nd Board meeting.

RESOLUTION PGCB 2017-1-EXE – Commissioner Greg Fajt**Motions:** 1st–Board Member Moscato / 2nd–Board Member Jewell

The Board hereby adopted Resolution PGCB 2017-1-EXE honoring Commissioner Fajt's service to the Board. The Approved Resolution is as follows:

WHEREAS, Gregory C. Fajt was appointed as Chairman of the Pennsylvania Gaming Control Board by Governor Edward Rendell in May of 2009; and

WHEREAS, Commissioner Fajt was, in August of 2011, asked to continue his service to the Board as the appointee of Pennsylvania State Senate Democratic Leader Jay Costa; and

WHEREAS, Commissioner Fajt was reappointed by Senator Costa in January 2013 and again in January 2015; and

WHEREAS, Commissioner Fajt was previously an ex officio member of the Board during his tenure as the Secretary of the Pennsylvania Department of Revenue; and

WHEREAS, Commissioner Fajt, has served the longest tenure as a member of the Board and thereby has provided his colleagues with much institutional knowledge; and

WHEREAS, Commissioner Fajt's broad background as an attorney, Certified Public Accountant, Member of the Pennsylvania House of Representatives, Secretary of the Pennsylvania Department of Revenue and Chief of Staff to Governor Edward Rendell has instilled in him broad perspective to consider on all issues confronting the Board in the implementation and regulation of gaming in the Commonwealth; and

WHEREAS, Commissioner Fajt has overseen and participated in licensing decisions, casino openings, regulatory compliance matters, transfers of casino licenses and revocation proceedings, and has confronted each of these matters with a sense of fairness, reason and a desire to fulfill the vision of the Commonwealth to implement gaming in the interests of the public; and

WHEREAS, Commissioner Fajt has worked tirelessly to bring the Board's vision statement to fruition, thereby making the Board the premier gaming regulator in the United States; and

WHEREAS, Commissioner Fajt has always conducted himself with the utmost honesty, integrity and credibility; be it
RESOLVED that the Pennsylvania Gaming Control Board proudly recognizes Commissioner Gregory C. Fajt's exemplary record of service and leadership and wishes him the very best in all of his future endeavors.

Upon Motion duly made and seconded, the foregoing Resolution was adopted on February 1, 2017.

Board Decision: Passed by unanimous vote

RESOLUTION PGCB 2017-2-EXE – Commissioner Keith McCall**Motions:** 1st–Board Member Ryan / 2nd–Board Member Jewell

The Board hereby adopted Resolution PGCB 2017-2-EXE honoring Commissioner McCall's service to the Board. The Approved Resolution is as follows:

WHEREAS, Keith R. McCall was appointed to the Pennsylvania Gaming Control Board on February 3, 2011 by Frank Dermody, Democratic Leader of the Pennsylvania House of Representatives; and

WHEREAS, Commissioner McCall was sworn into office as a member of the Board on February 10, 2011; and

WHEREAS, Commissioner McCall was subsequently re-appointed to the Board in 2013 and 2015; and

WHEREAS, Commissioner McCall brought to the Board a breadth of experience, having served the people of the 122nd Legislative District as a member of the Pennsylvania House of Representatives for twenty-eight years, including service as the Speaker of the House beginning in 2009; and

WHEREAS, Commissioner McCall has provided the Board with a wealth of knowledge as to the intent of the General Assembly in passing the Pennsylvania Race Horse Development and Gaming Act in 2004, as well as amendments thereto in 2006 and 2010; and

WHEREAS, Commissioner McCall has consistently provided a sound and reasoned voice to the regulation of gaming in the Commonwealth, always having protection of the people of Pennsylvania as his primary focus; and

WHEREAS, Commissioner McCall participated in the award of a second casino license for the City of Philadelphia, in the pursuit of fulfilling the Act's promise to the people of Philadelphia; and

WHEREAS, Commissioner McCall has consistently provided a strong voice for the implementation of reasoned and fair regulation; and
WHEREAS, Commissioner McCall's honesty, integrity and credibility have helped the Board to become the premier gaming regulator in the United States; and

WHEREAS, Commissioner McCall has left an imprint on the operation of this Board through his professional approach, his intimate understanding of the legislative process and desire to do right by the Board and the people of Pennsylvania; be it

RESOLVED that the Pennsylvania Gaming Control Board proudly recognizes Commissioner Keith R. McCall's exemplary record of service and leadership and wishes him the very best in all of his future endeavors.

Upon Motion duly made and seconded, the foregoing Resolution was adopted on February 1, 2017.

Board Decision: Passed by unanimous vote

MINUTES / TRANSCRIPT

On a motion by Commissioner Ryan, seconded by Commissioner Fajt, the December 14, 2016 minutes and transcript were unanimously approved.

EXECUTIVE DIRECTOR'S REPORT

Kevin O'Toole, Executive Director, briefed the Board from a recent press release prepared by our Communications Department, the 12 Pennsylvania casinos, in the aggregate, topped \$3.2 billion in casino gaming revenues in 2016. The record high figures reflect continued growth of Table Game Revenues and slot revenues that remained consistent with 2015's figures.

Kevin O'Toole stated that it is not a coincidence that Commissioners Fajt and McCall have fulfilled their tenure with the Board at a time when casino performance is at its highest peak. Their decision making over the years has contributed not only to the Board's success, but to the industry's success as well. On behalf of the staff of the Gaming Control Board, he would like to thank Greg and Keith for their service as Board members.

OFFICE OF CHIEF COUNSEL

PGCB MOTION NO. 2017-45 OCC

Motions: 1st—Board Member Fajt / 2nd—Board Member Jewell

The Board hereby denied the Petition of M.A. requesting early removal from the Voluntary Exclusion List. The Board also recognizes the matter contains sensitive information that is confidential therefore the entire file shall be placed under seal restricting public access.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-46 OCC

Motions: 1st—Board Member Jewell / 2nd—Board Member McCall

The Board adopted, in part, the Bureau of Investigation and Enforcement's Petition and Hearing Examiner's report requesting the Placement of Mena Beshara on the Board's Involuntary Exclusion List. Mr. Beshara shall be placed on the list for a period of five years at which time he may petition the Board for removal.

Docket No.: 4817-2016

Board Decision: Passed by unanimous vote

A BRIEF EXECUTIVE SESSION WAS HELD

PGCB MOTION NO. 2017-47 OCC

Motions: 1st—Board Member McCall / 2nd—Board Member Moscato

The Board adopted the Report and Recommendation of the Office of Hearings and Appeals denying Russell Collier's Application for a Non-Gaming Employee Registration. The Board recognizes that some exhibits may contain confidential information. This confidential information shall be redacted or sealed from public access.

Docket No.: 4932-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-48 OCC

Motions: 1st—Board Member Ryan / 2nd—Board Member Moscato

The Board adopted, in result, the Report and Recommendation of the Office of Hearings and Appeals regarding the Suspension of James Evans, III's Gaming Employee Occupation Permit. The Board stated given that felony-graded criminal charges against Mr. Evans remain pending, the suspension of his Gaming Employee Occupation Permit shall continue in full force and effect, until the resolution of his criminal case. Mr. Evans may request that the suspension be lifted at that time.

Docket No.: 4819-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-49 OCC

Motions: 1st—Board Member McCall / 2nd—Board Member Fajt

The Board adopted the Report and Recommendation of the Office of Hearings and Appeals denying Jon Friend's Application for a Non-Gaming Employee Registration. The Board recognizes that some exhibits may contain confidential information. This confidential information shall be redacted or sealed from public access.

Docket No.: 4917-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-50 OCC

Motions: 1st—Board Member Fajt / 2nd—Board Member Jewell

The Board adopted, in part, the Report and Recommendation of the Office of Hearings and Appeals regarding the Placement of Gabrielle Galante on the Involuntary Exclusion List. Ms. Galante shall be placed on the Involuntary Exclusion List and may not petition for her removal until her 22nd Birthday.

Docket No.: 4825-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-51 OCC

Motions: 1st—Board Member Jewell / 2nd—Board Member McCall

The Board approved the Hearing Officer's Report and the Bureau of Investigations and Enforcement's Petition for Marc Maahs' Placement on the Involuntary Exclusion List as well as the revocation of his Gaming Employee Occupation Permit. In addition, Mr. Maahs' Exception to the Hearing Officer's Report and Recommendation, which were untimely filed, were rejected.

Docket No.: 4494-2016 and 4595-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-52 OCC

Motions: 1st—Board Member McCall / 2nd—Board Member Moscato

The Board adopted, in result, the Report and Recommendation of the Office of Hearings and Appeals renewing the Gaming Level 2 Employee Occupation Permit Application submitted by Patrick O'Donnell. The Board notes that it concurs with the ultimate conclusions of the Hearing Officer's Report but not the Finding of Facts used in this matter.

Docket No.: 4644-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-53 OCC

Motions: 1st—Board Member Moscato / 2nd—Board Member Ryan

The Board adopted, in result, the Report and Recommendation of the Office of Hearings and Appeals renewing the Gaming Level 2 Employee Occupation Permit Application submitted by Jason Singleman. The Board notes that it concurs with the ultimate conclusions of the Hearing Officer's Report but not the Finding of Facts used in this matter.

Docket No.: 4636-2016

Board Decision: Passed by unanimous vote

BUREAU OF LICENSING

PGCB MOTION NO. 2017-54 BOL

Motions: 1st—Board Member Ryan / 2nd—Board Member Fajt

The Board approved the following Principal and Key Employee Licenses:

Chester Downs and Marina, LLC

Principal Employees

Initial Licensure

- Keith Austin Causey, Senior Vice President and Chief Accounting Officer for Affiliate licensee Caesars Entertainment Corporation – Docket #86400-1
- Leslie Marcel Ottolenghi, Executive Vice President and Chief Information Officer for Affiliate licensee Caesars Entertainment Corporation – Docket #78743-2

Downs Racing, LP

Key Employee

Initial Licensure

- Anthony P. Casdia, Senior Vice President of Business Development for Mohegan Tribal Gaming Authority, parent of Downs Racing, L.P. – Docket #48045-2

Holdings Acquisition Co, L.P.

Key Employees

Initial Licensure

- Sal-Steven Jon Iaquina, Count Room Supervisor – Docket #47056-4
- Renewal
- Charles Samuel Green, Assistant General Manager – Docket #65807-2
 - Todd David Watkins, Director of IT – Docket #65970-2

Sugarhouse HSP Gaming, LP

Key Employee

Renewal

- Mary Denise Harris, Count Room Manager – Docket #54623-4

Bally Gaming, Inc. d/b/a Bally Technologies

Gaming Related Gaming Service Provider Affiliate

Initial Licensure

- GFI Gaming, LLC, Gaming Related Gaming Service Provider Affiliate of Bally Gaming, Inc. - Docket #87664-1
- Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-55 BOL**Motions:** 1st–Board Member Moscato / 2nd–Board Member Fajt

The Board approved the issuance of 4 Temporary Principal and 10 Temporary Key Employee Credentials. *Information pertaining to the names of these individuals can be found in the Order.*

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-56 BOL**Motions:** 1st–Board Member Fajt / 2nd–Board Member Jewell

The Board approved the issuance of 409 (240 initial; 96 renewals; 73 temporary G2) Gaming Employee Occupation Permits and 182 Non-Gaming Employee Registrations. *Information pertaining to the names of these individuals can be found in the Order.*

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-57 BOL**Motions:** 1st–Board Member Jewell / 2nd–Board Member McCall

The Board hereby denied the following Employee Applications as follows:

GAMING EMPLOYEES

94047-1 Vivian Ayala

94547-1 Armando Martinez

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-58 BOL**Motions:** 1st–Board Member McCall / 2nd–Board Member Moscato

The Board approved the withdrawal of two Key and 4 Gaming Employee Applications. *Information pertaining to the names of these individuals can be found in the Order.*

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-59 BOL**Motions:** 1st–Board Member Moscato / 2nd–Board Member Ryan

The Board approved the following Gaming Service Provider Certifications:

- The Herjavec Group Corporation
- Kinsley Construction, Inc.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-60 BOL**Motions:** 1st–Board Member Ryan / 2nd–Board Member McCall

The Board approved the following Gaming Service Provider Registrations:

- Adirondack Scenic, Inc.
- Bazzini, LLC
- European Bread, Inc.
- Hobbs and Company, Inc.

- Karetas Acquisition Company, LLC, d/b/a Karetas Foods, LLC
 - Keynote Media Group, LLC
- Board Decision: Passed by unanimous vote

OFFICE OF ENFORCEMENT COUNSEL

PGCB MOTION NO. 2017-61 OEC

Motions: 1st–Board Member Jewell / 2nd–Board Member Fajt

The Board hereby approved the Consent Agreement between the Office of Enforcement Counsel and SugarHouse HSP Gaming, LP for improper credit promotions. SugarHouse shall pay a civil penalty in the amount of \$15,000 within 5 days of the approved Order. SugarHouse shall also pay \$2,500 for administrative costs incurred by the Office of Enforcement Counsel, Bureau of Investigation and Enforcement and other related staff in connection with this matter.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-62 OEC

Motions: 1st–Board Member Fajt / 2nd–Board Member Jewell

The Board hereby approved the Consent Agreement between the Office of Enforcement Counsel and Jack Lindenman regarding his Placement on the Involuntary Exclusion List. Mr. Lindenman shall remain on the list until at least his 22nd Birthday, October 9, 2018.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-63 OEC

Motions: 1st–Board Member Jewell / 2nd–Board Member McCall

The Board hereby approved the Consent Agreement between the Office of Enforcement Counsel and Mount Airy #1, LLC for intoxicated patron violations. Mount Airy shall pay a civil penalty in the amount of \$25,000 within 5 days of the Board's Order. In addition, Mount Airy shall pay administrative costs in the amount of \$2,500 within five days of the Order.

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-64 OEC

Motions: 1st–Board Member McCall / 2nd–Board Member Moscato

The Board hereby approved the revocation of Lurlei Rutkowski's Non-Gaming Employee Registration.

Docket Number: 4855-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-65 OEC

Motions: 1st–Board Member Moscato / 2nd–Board Member Ryan

The Board hereby approved the revocation of Nicole Griesse's Gaming Employee Occupation Permit.

Docket Number: 4820-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-66 OEC

Motions: 1st–Board Member Ryan / 2nd–Board Member Fajt

The Board hereby approved the revocation of Dorothy Henry's Gaming Employee Occupation Permit.

Docket Number: 4863-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2016-67 OEC

Motions: 1st–Board Member McCall / 2nd–Board Member Fajt

The Board hereby approved the revocation of Zabriah Whitmore's Non-Gaming Employee Registration.

Docket Number: 4899-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-68 OEC

Motions: 1st–Board Member Fajt / 2nd–Board Member McCall

The Board hereby approved the revocation of Jessica Avery's Non-Gaming Employee Registration.

Docket Number: 4897-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-69 OEC**Motions:** 1st–Board Member McCall / 2nd–Board Member Moscato

The Board hereby approved the revocation of Donisha Perry's Non-Gaming Employee Registration.

Docket Number: 4900-2016

Board Decision: Passed by unanimous vote

PGCB MOTION NO. 2017-70 OEC**Motions:** 1st–Board Member Moscato / 2nd–Board Member Ryan

The Board hereby approved the revocation of Cobeai Riley's Non-Gaming Employee Registration.

Docket Number: 4901-2016

Board Decision: Passed by unanimous vote

The Board approved the following placements on the PGCB Involuntary Exclusion List:

MOTION #	RESPONDENT	DOCKET #	FIRST	SECOND	BOARD DECISION	CAN PETITION TO BE REMOVED
2017-71 OEC	Jeremy Ray Cain	4996-2016	Ryan	Jewell	Unanimous	After One Year
2017-72 OEC	Samantha Smith	5001-2016	Ryan	Fajt	Unanimous	
2017-73 OEC	Tristan Stowell	4939-2016	Fajt	Jewell	Unanimous	After One Year
2017-74 OEC	Soren Larson	4969-2016	Jewell	McCall	Unanimous	After 22 nd Birthday
2017-75 OEC	James Watson	4970-2016	McCall	Moscato	Unanimous	After 22 nd Birthday
2017-76 OEC	Joshua Buksbaum	4883-2016	Moscato	Ryan	Unanimous	After 22 nd Birthday
2017-77 OEC	Joseph Junkin	4881-2016	Ryan	Fajt	Unanimous	After 22 nd Birthday
2017-78 OEC	Benjamin Sommers	4882-2016	Moscato	Fajt	Unanimous	After 22 nd Birthday
2017-79 OEC	Taylor M. Logan	4966-2016	Fajt	Jewell	Unanimous	After 22 nd Birthday
2017-80 OEC	So Hyun Myung	4974-2016	Jewell	McCall	Unanimous	After One Year
2017-81 OEC	Kenyatta Meadows	4963-2016	McCall	Moscato	Unanimous	After One Year
2017-82 OEC	Thomas Rollins	4965-2016	Moscato	Ryan	Unanimous	After 22 nd Birthday
2017-83 OEC	Xuiqiong Fang	4973-2016	Ryan	Jewell	Unanimous	REJECTED – Not being placed on list
2017-84 OEC	Konghe Lin	4975-2016	McCall	Fajt	Unanimous	
2017-85 OEC	Quan Lin	4972-2016	Fajt	Jewell	Unanimous	
2017-86 OEC	Baoying Yang	4979-2016	Jewell	McCall	Unanimous	
2017-87 OEC	Shu Fang Zheng	4976-2016	McCall	Moscato	Unanimous	REJECTED – Not being placed on list

ADJOURNMENT

On a motion by Commissioner Moscato, seconded by Commissioner Ryan, the meeting was adjourned.

I HEREBY CERTIFY THAT THESE MINUTES WERE APPROVED BY THE PENNSYLVANIA GAMING CONTROL BOARD AT A PUBLIC MEETING ON THE **22nd** DAY OF **MARCH 2017**.

 Pamela L. Lewis, Board Secretary